

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Roanoke Division**

WILLIE J. STEVENS,

Plaintiff,

v.

CASE NO. 7:21cv570

DIRECTOR of the VIRGINIA DEPARTMENT  
OF CORRECTIONS, *et al.*,

Defendants.

**MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM**

Defendants Director of the Virginia Department of Corrections, Harold Clarke<sup>1</sup> and L. Perez (“Defendants”), by counsel, and pursuant to Rule 12 of the Federal Rules of Civil Procedure, respectfully move this Honorable Court to dismiss the claims against them, for the reasons set forth in the Memorandum accompanying this Motion.

Respectfully submitted,

HAROLD CLARKE, DIRECTOR OF THE  
VIRGINIA DEPARTMENT OF CORRECTIONS  
and L. PEREZ

By: s/ Megan L. O'Brien  
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<sup>1</sup> Defendants identify Harold Clarke as the “Director of the Virginia Department of Corrections”.

**CERTIFICATE OF SERVICE**

I hereby certify that on the 4<sup>th</sup> day of February, 2022, I electronically filed the foregoing Motion to Dismiss with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following CM/ECF participants: N/A

And I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participant:

Willie J. Stevens, #1690682  
Keen Mountain Correctional Center  
State Route 629  
PO Box 860  
Oakwood, VA, 24631.

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